

034421-142  
(formerly 5095P003)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Peter Smidth  
SERIAL NO.: 10/034,468  
FILING DATE: December 27, 2001  
TITLE: FAST TIMING ACQUISITION FOR MULTIPLE RADIO  
TERMINALS  
EXAMINER: (to be assigned)  
ART UNIT: 2817

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

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**DECLARATION AND CONSENT OF ASSIGNEE**

I hereby declare that:

I am authorized to act on behalf of the Assignee, Proxim, Inc..

The entire title to the patent application identified above is vested in the Assignee as evidenced by the attached 37 C.F.R. §3.73(b) Statement.

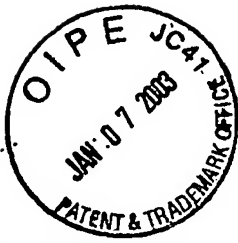
I hereby revoke any Powers of Attorney previously given in this matter and appoint the following attorneys to prosecute the above-identified patent application and to transact all business in the Patent and Trademark Office connected therewith:

Robert E. Krebs, Registration No. 25,885; David B. Ritchie, Registration No. 31,562; Marc S. Hanish, Registration No. 42,626; John P. Schaub, Registration No. 42,125; Adrienne Yeung, Registration No. 44,000; Steven J. Robbins, Registration No. 40,299; Thierry K. Lo, Registration No. 49,097; William Samuel Niece, Registration No.: 47,824; J. Davis Gilmer, Registration No. 44,711; William E. Winters, Registration No. 42,232, Masako Ando, (37 C.F.R. §10.9 (b)); and John Klaas Uilkema, Registration No. 20,282; Becky L. Troutman, Registration No. 36,703; Hal J. Bohner, Registration No. 27,856

Dated: 12-16-2002

Keith E. Glover  
Name: Keith E. Glover  
Title: Chief Financial Officer  
Proxim, Inc.

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Docket No.: 034421-142  
(formerly 5095P003)

**CERTIFICATE UNDER 37 CFR § 3.73(b)**

Applicant: Proxim, Inc.

Application No.: 10/034,468 Filed: December 27, 2001

For: Fast Timing Acquisition For Multiple Radio Terminals

Proxim, Inc., a Delaware Corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of the following:

A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 012427, Frame 0535.
2. Certificate of Merger from "WMUX Name Change Corp." with and into "Western Multiplex Corporation", under the name of "Proxim Corporation", Authentication 1689277, dated 3/26/02.
3. Certificate of Merger from "Walnut-Pine Merger Corp." with and into "Proxim, Inc.", under the name of "Proxim Wireless Networks, Inc.", Authentication: 1689256, dated 3/26/02.

Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the parent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 12-16-2002

Name: Keith E. Glover

Title: Chief Financial Officer

Signature: Keith E Glover

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UNITED STATES  
PATENT AND  
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05095 P003  
GDC

FEBRUARY 27, 2002

Chief Information Officer  
Washington, DC 20231  
www.uspto.gov

BLAKELY SOKOLOFF, TAYLOR & ZAFMAN LLP  
GORDON R. LINDEEN III  
12400 WILSHIRE BOULEVARD  
7TH FLOOR  
LOS ANGELES, CA 90025

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MAR 06 2002

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
LOS ANGELES



\*101939712A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

ENTERED

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

MAR 06 2002

STATUS DELA

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/27/2001

REEL/FRAME: 012427/0535  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
SMIDTH, PETER

DOC DATE: 12/19/2001

ASSIGNEE:  
WESTERN MULTIPLEX  
1196 BORREGAS AVENUE  
SUNNYVALE, CALIFORNIA 94089

SERIAL NUMBER: 10034468  
PATENT NUMBER:

FILING DATE: 12/27/2001  
ISSUE DATE:

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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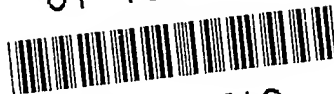
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01-10-2002



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FORM PTO-1535  
(Rev. 6-93)  
OMD No. 0651-0011 (6-94)U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Peter Smidth

12/27/01

2. Name and address of receiving party(ies):

Name: Western Multiplex

Additional name(s) of conveying party(ies) attached?

☒ No ☐ Yes

Internal Address: \_\_\_\_\_

Street Address: 1196 Borregas Avenue

3. Nature of Conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

City: Sunnyvale State: CA ZIP: 94089Country: USAExecution Date: 12/19/2001Additional name(s) & address(es) attached? ☒ No ☐ Yes

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

12/19/2001

A. Patent Application No.(s)

Not yet assigned

B. Patent No.(s)

10/034468

Additional numbers attached?

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Blakely, Sokoloff, Taylor & Zafman LLP

Internal Address: \_\_\_\_\_

Street Address: 12400 Wilshire Boulevard  
7th FloorCity: Los Angeles State: CA ZIP: 90025

6. Total number of applications and patents involved:

17. Total Fee (37 CFR 3.41).....\$ 40.00

- ☐ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit Account Number:

02-2666

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

01/07/2002 HMARZ11 00000005 10034468

03 FC:581

40.00 DP

Gordon R. Lindeen III

Name of Person Signing

Signature

12/27/01

Date

Total number of pages including cover sheet, attachments, and document:

3

Mail documents to be recorded with required cover sheet information to:  
Assistant Commissioner of Patents, Box Assignments  
Washington, D.C. 20231

Docket No. 5095P003

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U.S. PATENT & TRADEMARK OFFICE

**ASSIGNMENT**  
(For Execution Prior To Filing Patent Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned:

**Peter Smidth**

hereby sell, assign, and transfer to:—

**Western Multiplex**

a corporation of Delaware, having a principal place of business at 1196 Borregas Avenue, Sunnyvale, California 94089, ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all improvements that are disclosed in the application for the United States patent that has been executed by the undersigned prior hereto or concurrently herewith on the dates indicated below and is entitled:

**Fast Timing Acquisition for Multiple Radio Terminals**

and in and to said application and all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original patents, reissued patents, reexamination certificates, and extensions, that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application;

agree that said Assignee may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally assist said Assignee, its successors, assigns, or representatives in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

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MAR 19 2003  
TECHNOLOGY CENTER 2880

Each Inventor: Please Sign and Date Below:

12/19, 2001      Peter Smidth  
Date                      Name: Peter Smidth

\_\_\_\_\_, 20\_\_\_\_      \_\_\_\_\_  
Date                      Name:

\_\_\_\_\_, 20\_\_\_\_      \_\_\_\_\_  
Date                      Name:

\_\_\_\_\_, 20\_\_\_\_      \_\_\_\_\_  
Date                      Name:

\_\_\_\_\_, 20\_\_\_\_      \_\_\_\_\_  
Date                      Name:

\_\_\_\_\_, 20\_\_\_\_      \_\_\_\_\_  
Date                      Name:

Each Inventor: Please also list the date that you signed the accompanying DECLARATION AND POWER OF ATTORNEY:

12/19, 2001  
Date

\_\_\_\_\_, 20\_\_\_\_  
Date

\_\_\_\_\_, 20\_\_\_\_  
Date

\_\_\_\_\_, 20\_\_\_\_  
Date

\_\_\_\_\_, 20\_\_\_\_  
Date

\_\_\_\_\_, 20\_\_\_\_  
Date

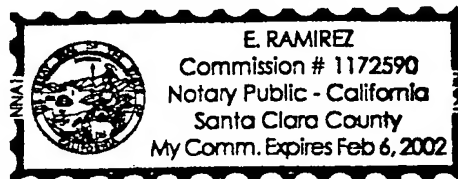
State of: CALIFORNIA }  
County of: SANTA CLARA } SS.

Assignment Document Return Address:  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
12400 Wilshire Blvd., Seventh Floor  
Los Angeles, CA 90025-1026  
(303) 740-1980

On this 19 day of DECEMBER 2001, before me, E. RAMIREZ,  
the undersigned Notary Public, personally appeared PETER SMIDTH  
[☒] personally known to me [☐] proved to me on the basis of satisfactory evidence to be the person(s)  
whose name(s) IS subscribed to the within instrument, and acknowledged that he  
executed it.

WITNESS my hand and official seal.

E. Ramirez  
Notary's Signature



# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"WMOX NAME CHANGE CORP.", A DELAWARE CORPORATION,  
WITH AND INTO "WESTERN MULTIPLEX CORPORATION" UNDER THE NAME OF "PROXIM CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SIXTH DAY OF MARCH, A.D. 2002, AT 4:01 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

2630314 8100M

020198072

AUTHENTICATION: 1689277

DATE: 03-26-02



STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 04:01 PM 03/26/2002  
020196072 - 2630314

**CERTIFICATE OF OWNERSHIP AND MERGER  
MERGING  
WMUX NAME CHANGE CORP.  
INTO  
WESTERN MULTIPLEX CORPORATION**

**(PURSUANT TO SECTION 253 OF THE GENERAL  
CORPORATION LAW OF DELAWARE)**

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TECHNOLOGY CENTER 2809

Western Multiplex Corporation, a Delaware corporation (the "Corporation"), does hereby certify:

FIRST: That the Corporation is incorporated pursuant to the General Corporation Law of the State of Delaware.

SECOND: That the Corporation owns all of the outstanding shares of each class of the capital stock of WMUX Name Change Corp., a Delaware corporation.

THIRD: That the Corporation, by the following resolutions of its Board of Directors, duly adopted at a meeting held on the 21<sup>st</sup> day of March, 2002, determined to and did merge into itself WMUX Name Change Corp.:

RESOLVED: That the Corporation merge, and it hereby does merge into itself its subsidiary, WMUX Name Change Corp., and assume all of said subsidiary's liabilities and obligations;

FURTHER RESOLVED: That the merger shall be effective upon the date of filing with the Secretary of State of Delaware;

FURTHER RESOLVED: That the proper officer of this Corporation be and he or she is hereby directed to make and execute a Certificate of Ownership and Merger setting forth a copy of the resolution to merge said WMUX Name Change Corp. into this Corporation and to assume said subsidiary's liabilities and obligations, and the date of adoption thereof, and to cause the same to be filed with the Secretary of State and to do all acts and things whatsoever, whether within or without the State of Delaware, which may be in anywise necessary or proper to effect said merger;

FURTHER RESOLVED: That this Corporation change its corporate name by changing the First Article of the Amended and Restated Certificate of Incorporation to read as follows:

FIRST: Name of Corporation. The name of the Corporation is "Proxim Corporation."



IN WITNESS WHEREOF, said Western Multiplex Corporation has caused this certificate to be signed by Nancy Huber, its authorized officer, this 26<sup>th</sup> day of March, 2002.

Western Multiplex Corporation

By: /s/ Nancy Huber

Title: Chief Financial Officer, Executive Vice  
President and Secretary

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"WALNUT-PINE MERGER CORP.", A DELAWARE CORPORATION, WITH AND INTO "PROXIM, INC." UNDER THE NAME OF "PROXIM WIRELESS NETWORKS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SIXTH DAY OF MARCH, A.D. 2002, AT 4 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

2353587 8100M

020198021

AUTHENTICATION: 1689256

DATE: 03-26-02

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 04:00 PM 03/26/2002  
020198021 - 2353587

CERTIFICATE OF MERGER  
of  
WALNUT-PINE MERGER CORP.

with and into  
PROXIM, INC.

Pursuant to Section 251 of the  
General Corporation Law  
of the State of Delaware

Pursuant to Section 251 of the General Corporation Law of the State of Delaware, Proxim, Inc., a Delaware corporation ("Proxim"), hereby certifies the following information relating to the merger of Walnut-Pine Merger Corp., a Delaware corporation and a direct wholly-owned subsidiary of Western Multiplex Corporation ("Merger Sub"), with and into Proxim:

FIRST: The name and jurisdiction of formation of each constituent corporation that is to merge are as follows:

<u>Name</u>	<u>Jurisdiction</u>
Proxim, Inc.	Delaware
Walnut-Pine Merger Corp.	Delaware

SECOND: The Agreement and Plan of Reorganization, dated as of January 16, 2002 (the "Merger Agreement"), has been entered into between Merger Sub and Proxim, and the Merger Agreement has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with Section 251 of the General Corporation Law of the State of Delaware.

THIRD: The name of the surviving corporation is Proxim, Inc.

FOURTH: The certificate of incorporation of the surviving corporation as amended and restated as set forth in Exhibit A attached hereto shall be the certificate of incorporation of the surviving corporation.

FIFTH: The executed Merger Agreement is on file at 510 DeGuigne Drive, Sunnyvale, CA 94085, the principal place of business of the surviving corporation.

SIXTH: A copy of the Merger Agreement will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation.

IN WITNESS WHEREOF, this Certificate of Merger has been executed as of  
March 26, 2002.

PROXIM, INC.

By: /s/ David C. King  
Name: David C. King  
Title: Chairman, President and Chief  
Executive Officer

Exhibit A

AMENDED AND RESTATED  
CERTIFICATE OF INCORPORATION  
OF

PROXIM, INC.

FIRST. The name of the corporation is Proxim Wireless Networks, Inc.

SECOND. The address of the corporation's registered office in the State of Delaware is Corporation Trust Center, 1209 Orange Street, Wilmington, New Castle County, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

THIRD. The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware.

FOURTH. The total number of shares of stock which the corporation shall have authority to issue is 1,000 shares of common stock, par value \$0.01 per share.

FIFTH. The board of directors of the corporation, acting by majority vote, is expressly authorized to adopt, amend or repeal the bylaws of the corporation.

SIXTH. To the fullest extent permitted by the Delaware General Corporation Law as the same exists or as may hereafter be amended, a director of the corporation shall not be personally liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

The corporation may indemnify to the fullest extent permitted by law any person made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he, his testator or intestate is or was a director, officer or employee of the corporation or any predecessor of the corporation or serves or served at any other enterprise as a director, officer or employee at the request of the corporation or any predecessor to the corporation.

Neither any amendment nor repeal of this Article, nor the adoption of any provision of the corporation's Certificate of Incorporation inconsistent with this Article, shall eliminate or reduce the effect of this Article, in respect of any matter occurring, or any action or proceeding accruing or arising or that, but for this Article, would accrue or arise, prior to such amendment, repeal, or adoption of an inconsistent provision.